UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,126	09/21/2001	David A. Monroe	07-0163	5013

67589 7590 04/07/2009

MOORE LANDREY
1609 SHOAL CREEK BLVD
SUITE 100
AUSTIN, TX 78701

EXAMINER	
MEUCCI, MICHAEL D	

ART UNIT	PAPER NUMBER
2442	

MAIL DATE	DELIVERY MODE
04/07/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/960,126	MONROE, DAVID A.	
	Examiner	Art Unit	
	MICHAEL D. MEUCCI	2442	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29,32 and 33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29,32 and 33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 September 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/15/07 (7 separate IDS sheets)*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the Request for Continued Examination (RCE) filed 27 July 2007. The amendments/arguments filed 16 December 2008 have been considered.

2. Claims 1-29, 32, and 33 are currently pending.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 15 October 2007 has been considered in part by the examiner. The Mastake et al. (JP9-251599) reference listed on page 1 of 7 of the IDS filed 15 October 2007 was not considered because it was not provided by the applicant in the instant application nor was an English abstract of the reference provide. For consideration of the reference, the applicant must submit the document and include it on a newly submitted IDS in compliance with 37 CFR 1.97.

Claim Objections

4. Claim 9 is objected to because of the following informalities:

a. Remove "a" before "the" on line 3. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 20, 22, 25, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claims 20, 22, and 25 recite the limitation "the transmitter" in lines 2, 1, and 3 respectively. There is insufficient antecedent basis for this limitation in the claim. Additionally, the abstract idea of an “ethernet connection” cannot be considered a transmitter because the "ethernet connection" is not a physical "thing" in claim 22. Applicant's assistance is requested in correcting any additional antecedent basis issues that are found in the claims. Correction is required.

b. Claim 33 recites the limitation "the camera" in lines 7 and 8. There is insufficient antecedent basis for this limitation in the claim. Correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-3, 6, 7, 9-14, 16, 20, 21, 23-28, 32, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Naidoo et al. (U.S. 6,690,411 B2) hereinafter referred to as Naidoo.

a. Regarding claim 1, Naidoo teaches: reading legacy output data, the legacy output data including a serial data string, the legacy output data being output from the legacy surveillance system without introducing a signal into the legacy surveillance system (lines 9-14 of column 7); transmitting the legacy output data into a data capture application of the intelligent surveillance system without sending a signal to the legacy surveillance system (lines 15-23 of column 7); and managing the legacy output data via the intelligent surveillance system (lines 28-46 of column 7).

b. Regarding claim 2, Naidoo teaches: assigning an identifier to the legacy output data for defining a type of legacy surveillance system (lines 41-54 of column 5).

c. Regarding claim 3, Naidoo teaches: wherein the identifier also identifies a location of the legacy surveillance system (lines 19-27 of column 7).

d. Regarding claim 6, Naidoo does not explicitly teach: wherein the legacy surveillance system includes a processor having open connectivity to a database and wherein the reading step comprises reading the legacy output data in the database (lines 11-13 of column 6).

e. Regarding claim 7, Naidoo teaches: wherein the intelligent surveillance system includes a server (lines 4-8 of column 5) and wherein the legacy surveillance system is driven by legacy software (lines 9-13 of column 7),

the method further including loading the legacy software in the intelligent surveillance system server (lines 28-45 of column 7 and lines 45-54 of column 9) and wherein the legacy output data is transmitted to the server and managed by the legacy software (lines 28-45 of column 7 and lines 40-51 of column 9), and wherein the reading step includes reading the legacy output data transmitted to the server (lines 28-30 of column 7 and lines 45-54 of column 9).

f. Regarding claim 9, Naidoo teaches: the intelligent surveillance system includes a camera activated by an event in a zone of the camera, and wherein an output signal from the legacy surveillance system in the zone of the camera will activate the camera (lines 40-49 of column 9).

g. Regarding claim 10, Naidoo teaches: wherein the intelligent surveillance system includes networked appliances responsive to an event, and wherein an output signal from a legacy device will activate an appliance response (lines 41-54 of column 5 and lines 18-39 of column 9).

h. Regarding claim 11, Naidoo teaches: a plurality of legacy devices or legacy surveillance systems, each producing a unique legacy output signal, each of which is transmitted to the intelligent surveillance system in the transmitting step (lines 41-54 of column 5 and lines 18-39 of column 9).

i. Regarding claim 12, Naidoo teaches: assigning a unique identifier to the legacy output data for defining each legacy device or legacy surveillance system (lines 41-54 of column 5 and lines 18-39 of column 9).

j. Regarding claim 13, Naidoo teaches: wherein each unique identifier also identifies a unique location of the legacy device or legacy surveillance system (lines 41-54 of column 5 and lines 18-39 of column 9).

k. Regarding claim 14, Naidoo teaches: a plurality of legacy systems, each system including a legacy device producing a legacy output signal, and wherein the plurality of legacy systems are not compatible with one another (lines 41-54 of column 5).

l. Regarding claim 16, Naidoo teaches: a server associated with the intelligent surveillance system (lines 4-8 of column 5); an output port connected to a legacy surveillance system to transmit from the legacy surveillance system a legacy output signal including a serial data string (lines 28-45 of column 7 and lines 40-51 of column 9); and a transmission channel connected between the output port and the server for transmitting the legacy output signal from the output port to the server without introducing a signal into the legacy surveillance system (lines 9-23 of column 7).

m. Regarding claim 20, Naidoo teaches: wherein the legacy device includes open connectivity to a legacy database and wherein the transmitter device receives the legacy output data from the legacy database (lines 11-13 of column 6).

n. Regarding claim 21, Naidoo teaches: wherein the server is adapted for assigning an identifier to the legacy output signal for identifying the legacy device (lines 41-54 of column 5 and lines 19-27 of column 7).

o. Regarding claim 23, Naidoo teaches: wherein the intelligent surveillance system includes networked appliances responsive to an event, and wherein an output signal from a legacy device will activate an appliance response (lines 41-54 of column 5 and lines 18-39 of column 9).

p. Regarding claim 24, Naidoo teaches: the intelligent surveillance system includes a camera activated by an event in a zone of the camera, and wherein an output signal from the legacy surveillance system in the zone of the camera will activate the camera (lines 40-49 of column 9).

q. Regarding claim 25, Naidoo teaches: a plurality of legacy devices or legacy surveillance systems, each producing a unique legacy output signal, each of which is transmitted to the intelligent surveillance system in the transmitting step (lines 41-54 of column 5 and lines 18-39 of column 9).

r. Regarding claim 26, Naidoo teaches: wherein a unique identifier is assigned to each legacy output signal for defining each legacy device (lines 41-54 of column 5 and lines 18-39 of column 9)

s. Regarding claim 27, Naidoo teaches: wherein each unique identifier also identifies a unique location of the legacy device (lines 41-54 of column 5 and lines 18-39 of column 9).

t. Regarding claim 28, Naidoo teaches: a plurality of legacy systems, each system including a legacy device producing a legacy output signal, and wherein the plurality of legacy systems are not compatible with one another (lines 41-54 of column 5).

u. Regarding claim 32, Naidoo teaches: associating a database with the intelligent surveillance system server (lines 11-13 of column 6 and lines 28-46 of column 7); creating a socket connection to the intelligent surveillance system server from the legacy surveillance system (lines 45-62 of column 6); reading the legacy data from the legacy surveillance system via the created socket connection (lines 14-46 of column 7); and storing the legacy data in the database associated with intelligent surveillance system server (lines 11-13 of column 6 and lines 40-54 of column 9).

v. Regarding claim 33, Naidoo teaches: receiving at the intelligent surveillance system server the legacy alert signal from the legacy surveillance system (lines 15-27 of column 7); and viewing by a selected camera, a location of the legacy alert signal, the camera being selected for viewing based on a proximity of the camera to the location (lines 40-49 of column 9).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 4, 5, 17, 18, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo as applied to claims 1 and 16 above, in view of Hart (U.S. 5,299,971).

a. Regarding claims 4, 5, 17, and 18, Naidoo does not explicitly teach: the reading step comprises reading the legacy output data on an RS232 or serial output port of the legacy surveillance system. However, Hart discloses: "The ability to link a number of devices 10 together to provide a surveillance network which might be monitored by only a single security person, is provided by cooperating input and output cables 56 which may be linked to the microcontrollers 36 of other devices 10 by means of RS-232 ports 58, as is well known in the art," (lines 34-40 of column 7). It would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to read the legacy output data on an RS232 or serial output port of the legacy surveillance system. RS-232 is a standard for serial binary data signals connecting between data carrying equipment and is commonly used in computer serial ports, and therefore would be an obvious system component. It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to read the legacy output data on an RS232 or serial output port of the legacy surveillance system in the system as taught by Naidoo.

b. Regarding claim 29, Naidoo teaches: performing an input test of an input port, the input port being physically connected to a legacy output port to potentially receive legacy data from the legacy output port without introducing a signal into the legacy surveillance system, the input test providing an input test result indicating whether the input port is receiving legacy data from the legacy output port (lines 9-14 of column 7); when the input test result indicated that the input port is receiving legacy data from the legacy output port, performing an

output test of the legacy output port without introducing a signal into the legacy surveillance system, the output test providing an output test result indicating whether the legacy output port is sending legacy data to the input port (lines 15-23 of column 7); when the output test result indicates that the legacy serial output port is sending legacy data to the input port, performing a socket connection test of a socket connection to a server, the socket connection test providing a socket connection test result indicating whether the socket connection to the server is open (lines 45-62 of column 6);when the socket connection test result indicates that the socket connection is open, transmitting the legacy data across a transmission connection from the input port to the socket connection and performing a log test of a log application, the log test providing a log test result indicating whether the log application is open (lines 45-54 of column 9);when the log test result indicates that the log application is open, writing to the log application the legacy data transmitted to the socket (lines 15-46 of column 7 and lines 45-54 of column 9).

Naidoo does not explicitly teach: a serial port. However, Hart discloses: "The ability to link a number of devices 10 together to provide a surveillance network which might be monitored by only a single security person, is provided by cooperating input and output cables 56 which may be linked to the microcontrollers 36 of other devices 10 by means of RS-232 ports 58, as is well known in the art," (lines 34-40 of column 7). It would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to read the legacy output data on a serial output port of the legacy surveillance system. RS-

232 is a standard for serial binary data signals connecting between data carrying equipment and is commonly used in computer serial ports, and therefore would be an obvious system component. It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to read the legacy output data on a serial output port of the legacy surveillance system in the system as taught by Naidoo

11. Claims 8 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo as applied to claims 1 and 16 above, in view of Kligman (U.S. 2001/0037509 A1).

a. Regarding claims 8 and 22, Naidoo does not explicitly teach: the legacy output data is transmitted in the transmitting step via Ethernet. However, Kligman discloses: "The video capture card 60 is preferably integrated into the monitor 40, and may be connected to a stand-alone computer or, to facilitate both remote surveillance and concurrent surveillance at multiple locations, in pier-to-pier (PTP) fashion to another computer; to a local area network (LAN), for example using Ethernet or any other suitable communications protocol; or to a wide area network (WAN), for example over a telephone network to a global computer network such as the Internet," (paragraph [0032] on page 3). It would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to transmit the legacy output data via Ethernet. Ethernet is an internet standard for transmitting data across networks, has been in use since 1980, and

it would therefore be obvious to use Ethernet to transmit legacy output data via Ethernet in the system as taught by Naidoo.

12. Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo as applied to claims 14 and 16 above, in view of Sloan et al. (U.S. 5,023,901) hereinafter referred to as Sloan.

a. Regarding claims 15 and 19, Naidoo does not explicitly teach: wherein the legacy output signal is a printer port output signal. However, Sloan discloses: "The central station 12 maintains and analyzes all relevant data for each individual under surveillance and initializes and retrieves information from each VVU 13. The central station 12 comprises a control computer 14 and a respective data storage unit 14a, 15a, such as a magnetic disk drive, and a respective output display device 14b, 15b, such as a printer, a CRT, a CRT - printer combination, etc," (line 63 of column 2 through line 2 of column 3). It would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to have the legacy output signal as a printer port output signal. "The control of computer 14 is connected to an input of the central station 12 to receive data from the VVU's 13 and to an output of the central station 12 to transmit data and command signals used to initialize the VVU's 13," (lines 2-6 of column 3 in Sloan). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have the legacy output signal as a printer port output signal in the system as taught by Naidoo.

Response to Arguments

13. Applicant's arguments, see remarks, filed 16 December 2008, with respect to the rejection(s) of claim(s) 1-29, 32, and 33 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Naidoo, Hart, Kligman, and Sloan as applied above.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached at (571) 272-3868. The fax phone number for this Group is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the

Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2442